

REMARKS

The Examiner is requiring restriction in the above-identified application as follows:

- Group I: Claims 1-13, 19-46, 47-50, and 51-58, drawn to a compound capable of binding to the ubiquinone binding site of DHODH which contains a ring system as a core structure, a group capable of forming a hydrogen bond and/or interacting ionically with residues as a core structure;
- Group II: Claims 14-18, drawn to a compound capable of binding to the ubiquinone binding site of DHODH which contains a ring system as a core structure, a group capable of forming a hydrogen bond and/or interacting ionically with residues His 56 and/or Tyr 356;
- Group III: Claims 59-66, drawn to a method of identifying a compound which is an inhibitor of DHODH;
- Group IV: Claims 67-74, drawn to a compound obtainable by the method of Claims 59-66; and
- Group V: Claims 75-98, drawn to a method for treatment of a disease or a therapeutic indication.

Additionally, the Examiner is requiring election of a single compound including the exact definition of each substitution on the base molecule.

Applicants have elected, with traverse, Group IV: Claims 67-74, for further prosecution. Additionally, Applicants have elected compound 1, at page 4 of the specification, which has the structure:



Applicants respectfully traverse on the grounds that the Office has not shown that a burden exists in searching the entire application.

MPEP in §803 states as follows:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

Applicants note that MPEP §821.04 states:

If the Applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.

Applicants respectfully submit that should the elected Group be found allowable, the non-elected process claims should be rejoined.

Applicants submit that the present application is in condition for examination on the merits. Early notification to this effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Charles J. Andres, Ph.D.  
Registration No. 57,537

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)